

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:) Examiner: Gary, Erika A.
)
 Engstrom et al.) Art Unit: 2617
)
 Application No.: 10/550,926) Confirmation No. 4431
)
 Filed: August 8, 2006)
)
 For: WIRELESS MOBILE PHONE WITH)
 AUTHENTICATED MODE OF)
 OPERATION INCLUDING PHOTO)
 BASED IDENTIFICATION)
 _____)

U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

ASSERTION OF SMALL ENTITY STATUS

Dear Sir:

Assignee, Varia LLC, is entitled to assert small entity status for the above-referenced patent application pursuant to 37 CFR 1.27 and requests that you amend your records in accordance with this assertion.

Respectfully submitted,
SCHWABE, WILLIAMSON & WYATT, P.C.

Dated: September 12, 2008

/Al AuYeung/
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